

Excerpts
Planning Commission Minutes
July 12, 2000

Application No. ZM-47-00, York County Planning Commission: Request to amend the York County Zoning Map by reclassifying portions of fourteen parcels located on the north side of Mary Bierbauer Way in the York Meadows subdivision from GB (General Business) to R13 (high density single-family residential). The parcels are identified as 502, 504, 506, 508, 600, 602, 604, 606, 608, 700, 702, 704, 706, 708, and 710 Mary Bierbauer Way and are further identified as Assessor's Parcel Nos. 37-(52)-4-84, 37-(52)-6-85, 37-(52)-6-86, 37-(52)-6-87, 37-(52)-6-88, 37-(52)-6-89, 37-(52)-6-90, 37-(52)-6-91, 37-(52)-6-92, 37-(52)-6-93, 37-(52)-6-94, 37-(52)-6-95, 37-(52)-6-96, and 37-(52)-6-97. The purpose of this request is to update the Zoning Map to reflect the residential zoning to which the subject parcels are vested pursuant to the submission of a preliminary subdivision plan on May 30, 1995, and a subdivision development plan on January 7, 1997.

Mr. Tim Cross presented the summary of the staff report including a video presentation and noted the staff recommendation of approval. He noted the Commission received a letter from Mr. Terry Marshall of the Breeden Companies on behalf of York Meadows, L.L.C., requesting approval of the application.

Mr. Semmes opened the public hearing.

Mr. Charles Berrane, NOVA Development, 2231 George Washington Memorial Highway, spoke in favor of approval. He asked for County relief from the responsibility of placing a 35-foot transitional buffer along the southern boundary of his property to conform with the terms of the Zoning Ordinance because it abuts residential development. He requested a recommendation that the buffer be shared equally by NOVA Development and the residential community.

The Chair closed the public hearing.

Discussion followed about transitional buffers and Mr. Berrane's request. Mr. Hendricks pointed out the purpose of the application is to correct a mapping error and the issue of the buffer is irrelevant to the Commission's deliberations.

Mr. Hendricks then moved the adoption of Resolution PC00-112 for approval. It was adopted by roll call vote of 6:0 (Mrs. White absent).

On motion of Mr. Hendricks, which carried 6:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO AMEND THE YORK COUNTY ZONING MAP BY RECLASSIFYING PORTIONS OF FOURTEEN PARCELS IN THE YORK MEADOWS SUBDIVISION FROM GB (GENERAL BUSINESS) TO R13 (HIGH DENSITY SINGLE-FAMILY RESIDENTIAL)

WHEREAS, it has been brought to the attention of the York County Planning Commission that portions of fourteen (14) parcels in the York Meadows subdivision are zoned GB (General Business) but are vested in the preexisting residential zoning; and

WHEREAS, to rectify this situation, the Planning Commission sponsored Application No. ZM-47-00 to amend the York County Zoning Map by reclassifying portions of these fourteen (14) parcels from GB (General Business) to R13 (High Density Single-Family Residential); and

WHEREAS, said application has been forwarded to the Planning Commission in accordance with applicable procedure; and

WHEREAS, the Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 12th day of July, 2000, that Application No. ZM-47-00 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the York County Zoning Map by reclassifying from GB (General Business) to R13 (High Density Single-Family Residential) portions of the parcels located at located at 502, 504, 506, 508, 600, 602, 604, 606, 608, 700, 702, 704, 706, 708, and 710 Mary Bierbauer Way, further identified as portions of Assessor's Parcel Nos. 37-(52)-4-84, 37-(52)-6-85, 37-(52)-6-86, 37-(52)-6-87, 37-(52)-6-88, 37-(52)-6-89, 37-(52)-6-90, 37-(52)-6-91, 37-(52)-6-92, 37-(52)-6-93, 37-(52)-6-94, 37-(52)-6-95, 37-(52)-6-96, and 37-(52)-6-97, and more fully identified and described as follows:

All that certain lot, piece or parcel of land situate, lying and being in the County of York, Virginia, known and designated as Parcel A containing 2.6769 Acres as shown on that certain plat entitled, "PROPERTY OF LAVENIA ROLLINS BOLDEN BEING CONVEYED TO LAND VENTURE DEVELOPERS AND BUILDERS, INC., PARCELS A & B YORK COUNTY, VIRGINIA", which plat is dated December 20, 1996 and prepared by Johnson * Baird and Associates.
